UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| MPD ACCESSORIES B.V.<br><br>Plaintiff,<br><br>v.<br><br>URBAN OUTFITTERS, INC.<br><br>and<br><br>GMA ACCESSORIES INC. d/b/a CAPELLI NEW YORK<br><br>and<br><br>ABC CORPS 1-5<br><br>Defendants. | Case No. 12-CV-6501 (LTS)(KNF)<br><br>**NOTICE OF MOTION FOR SUMMARY JUDGMENT** |

**PLEASE TAKE NOTICE** that pursuant to Rule 56 of the Federal Rules of Civil Procedure ("FRCP"), and upon the accompanying Memorandum of Law in Support dated October 25, 2013, the Affidavit of Menno Menke dated October 21, 2013 with its accompanying exhibits, the Affidavit of Corinne Kamp dated October 18, 2013 with its accompanying exhibits, the Affidavit of Carl M.R. van der Zandt dated August 23, 2012 with its accompanying exhibits, the Further Affidavit of Carl M.R. van der Zandt dated October 1, 2012 with its accompanying exhibits, the Declaration of Frank Conforti dated February 8, 2013, the Declaration of George Altirs dated February 8, 2013, the Declaration of Martin F. Gusy, Esq. dated February 11, 2013 with its accompanying exhibits, the Declaration of Martin F. Gusy, Esq. dated October 25, 2013, the Local Civil Rule 56.1 Statement dated October 25, 2013, and all prior pleadings and proceedings held herein, Plaintiff MPD Accessories B.V., by its undersigned counsel, moves this Court at such place and time as this Court shall deem appropriate for summary judgment as laid out in the memorandum of law and any further or other relief as the Court may deem just and proper.

Plaintiff has notified Defendants, and hereby notifies the Court, that it has withdrawn its unfair competition claim (Count Three of its Complaint).

Plaintiff certifies that it has used its best efforts to resolve informally with Defendants the matters raised in this Motion for Summary Judgment, and has successfully received the Defendants' agreement/consent on the following facts and conclusions of law outlined in this motion:

1. With regard to the Stripe Design, Urban Outfitters, Inc. has sold 2,852 units of Item #24894511 for total revenues of $42,118.00.
2. With regard to the Star Design, Urban Outfitters, Inc. has sold 1,986 units of Item #25073586 for total revenues of $42,404.00.
3. With regard to the Stripe Design, GMA Accessories Inc. d/b/a Capelli has sold 4,008 units of Item SCF-6259 for total revenues of $17,614.00.
4. With regard to the Star Design, GMA Accessories Inc. d/b/a Capelli has sold 5,083 units of Item #SCF-6567 for total revenues of $24,496.00.
5. Urban Outfitters' Item #24894511 and GMA Accessories Item # SCF-6259 are at least strikingly similar to MPD's Stripe Design.
6. Urban Outfiters' Item #25073586 and GMA Accessories Item # SCF-6567 are at least strikingly similar to MPD's Star Design.

Dated: New York, New York
October 25, 2013

COZEN O'CONNOR

By: /s/ Martin F. Gusy

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